



#13/2002
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: D. MESSERLI et al.

Application No.: 09/497,123

Group Art Unit: 3738

Filed: February 3, 2000

Examiner: B. Pellegrino

For: END MEMBER FOR A BONE
FUSION IMPLANT

Attorney Docket No.: 8932-114-999

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**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Assistant Commissioner for Patents
Box AF
Washington, D.C. 20231

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated October 26, 2001 of the Primary Examiner finally rejecting claims 1, 2, 7, 9, 14, 15, and 17-19 of the above-identified application.

The item(s) checked below are appropriate:

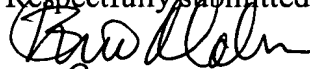
1. ☒ An extension of time for responding to the final rejection for 2 month(s):
 - ☐ was filed on
 - ☒ is submitted herewith.
2. ☐ A timely response to the final rejection has been filed.
3. ☒ A fee in the amount of \$320.00 is:
 - ☒ Required.
 - ☐ Not required (Fee paid in prior appeal).
4. ☐ Applicant has qualified for the 50% reduction in fee for an independent inventor, non profit organization or small business concern and a fee in the amount of \$160.00 is:
 - ☐ Required.
 - ☐ Not required (Fee paid in prior appeal).

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02 FC:119 320.00 CH

5. ☒ Please charge the required fee, if any, to Pennie & Edmonds LLP Deposit Account No. 16-1150. A copy of this sheet is enclosed.

Respectfully submitted,



For: Brian M. Poissant

Date March 26, 2002

Brian J. Malm

Reg. No. 44,895

For: Brian M. Poissant

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